

Remarks

Original claims 1-20 have been canceled without prejudice and new claims 21-30 have been added.

New claims 21-30 are supported in the specification as follows:

Claim 21: page 17, line 28 to page 18, line 21; page 21, line 27 to page 22, line 22.

Claim 22: page 7, lines 29-30.

Claim 23: page 8, lines 3-5.

Claim 24: page 8, lines 16-26 and page 11, lines 3-4. A water-oil-water emulsion is disclosed at Example 2, part D (“Adjuvanting and Formulation of Vaccine”), page 17, lines 17-19, where in step 7 it is disclosed that an oil adjuvant is added to the inactivated *M. bovis* so as to produce a vaccine with 4% to 12% oil. One skilled in the art would understand that such a low amount of oil in the vaccine would not be enough to completely surround the aqueous phase of the vaccine and thus one skilled in the art would understand this passage to be a disclosure of an water-oil-water emulsion.

Claim 25: abstract

Claim 26: page 17, line 28 to page 18, line 21; page 21, line 27 to page 22, line 22.

Claim 27: page 7, lines 29-30.

Claim 28: page 8, lines 3-5.

Claim 29: page 8, lines 16-26 and page 11, lines 3-4. A water-oil-water emulsion is disclosed at Example 2, part D (“Adjuvanting and Formulation of Vaccine”), page 17, lines 17-19, where in step 7 it is disclosed that an oil adjuvant is added to the inactivated *M. bovis* so as to produce a vaccine with 4% to 12% oil. One skilled in the art would understand that such a low amount of oil in the vaccine would not be enough to completely surround the aqueous phase of the vaccine and thus one skilled in the art would understand this passage to be a disclosure of an water-oil-water emulsion.

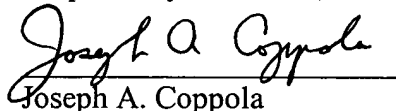
Claim 30: abstract

Claims 21-30 may be found to correspond substantially to claims 1-14 of U.S. Patent No. 6,548,069, issued April 15, 2003.

The Applicants hereby make a Conditional Petition for any relief available to correct any defect seen in connection with this filing, or any defect seen to be remaining in this application after this filing. The Commissioner is authorized to charge Kenyon & Kenyon's Deposit Account No. 11-0600 for the Petition fee and any other fees required to effect this Conditional Petition.

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Respectfully submitted,



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